

INTERNATIONAL CITY MANAGERS' ASSOCIATION
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RELATIONS OF COUNCIL AND CHIEF ADMINISTRATOR TO BOARDS AND COMMISSIONS

What is the trend and practice with regard to separate boards and commissions?

Independent Administrative Boards. The trend for three or more decades has been away from the use of boards as administrative agencies. Boards that are completely independent of the council--those that prepare and adopt their own budgets, levy their own taxes, and appoint their own employees--are not nearly so common as they were three decades ago. Park boards, public works boards, and other separate agencies generally are replaced with single-headed departments when cities adopt new charters. Apparently these cities have not lost anything of value through the abolition of boards. In fact there is plenty of evidence that the administration of an activity becomes more responsive and effective if it is integrated with other municipal functions.

The history of efforts to dismember the administrative setup of a community is a rather sad one to the extent that all the individual services do not receive the same general supervisory control. A board type of organization usually means that responsibility is diffused, fiscal needs of each service are not judged objectively and placed in balance with the needs of other services, political manipulation is made easier, and the general quality of city service diminishes. The board members themselves do not carry on administrative work; they appoint a director, a manager, or a superintendent who carries on such work. Moreover, boards handling line functions press constantly for increased appropriations without regard to the needs of other municipal services.

The experience with administrative boards indicates that most board appointees regard it their duty to control details of administrative routine with bad effects on the technical staff. The idea of highly competent citizens giving generously of their time with little or no compensation has proved to be an illusion. Specialists in various fields, such as recreation and housing for example, have contended that boards are desirable when a new function is started because they can better work out the peculiar problems that arise in the development of a new service. If this theory is accepted then such boards should be temporary and abolished as soon as their work becomes a matter of routine administration.

Separate administrative boards are not necessary or desirable because most important local policies are determined by state law, by city charter, or by local ordinances and resolutions. Questions of local policy not so determined should be decided by the city council rather than by boards and commissions. Only in this way is it possible to achieve unity in planning, financing, and administration--when all services are managed by the chief administrator and council.

Advisory Agencies. For the reasons given above many cities have few if any administrative boards. Most of the boards in cities with modern charters, except school and library boards, are created by ordinance and are

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advisory in nature. For example, all except five of the 21 boards in Dallas are mainly advisory, and their duties and responsibilities are set forth in the ordinances creating them. Likewise, in San Diego the charter provides that the city manager appoint the following advisory commissions: public health, library, water, social welfare, playgrounds and recreation, and parks. But even such boards and commissions generally are neither necessary nor desirable because they are permanent and in some cities have a tendency to assume administrative duties. Whenever it is desirable to secure the benefit of citizen opinion and experience the city manager can appoint a temporary advisory board to deal with a specific problem, make a report, and disband. The extent to which such a board can be helpful depends in large part on its objectives and on the type of personnel selected.

Appointive Boards. The fact remains, however, that many cities still have some boards. Fortunately most of them are appointed by the mayor, council, or city manager. Until such time when they can be abolished the appointing authority should exercise close control over them. The appointing authority is responsible for the proper functioning of such boards regardless of whether they are administrative or advisory in nature. The remainder of this report is devoted to a discussion of how such boards may be held accountable to the appointing authority and how their work may be more closely integrated with other municipal activities.

Selection of Board Members. In the great majority of cities most boards, except the board of education, are appointed either by the chief administrator or by the council. This is preferable to appointment by some other authority or election by the people. The chief administrator and council should consult with each other on appointments made by either so that better cooperation will result. Wherever possible the number of members on boards should be kept below 10. Large boards, especially those of 10 or more members, are usually unwieldy and cumbersome although they have the merit of wider representation. This association of the power of appointment with the power of appropriation or budget authority places the responsibility for the maintenance of the services administered by boards in a single governmental authority and thereby encourages coordination and cooperation between boards and other city agencies.

It is desirable to ignore the question of national partisanship rather than to specify that the board be bi-partisan. Administrative officers may be appointed as ex officio members but they should constitute a minority so that they will not dominate the board. Quasi ex officio membership through appointment of a council member also may be desirable in some cases.

Board Meetings. All regular and special meetings of boards and commissions should be held in the city hall and should be open to the public. In preparing the agenda for board meetings matters of administrative detail should be omitted. Each board may adopt such rules and regulations as may be necessary for the discharge of its duties, but the board should be required to furnish the chief administrator and the city clerk with copies and notify them of any changes. Each board should keep an accurate record of its proceedings and file a copy with the chief administrator and the city clerk. The city manager and all board members should be notified of meetings in writing in advance.

Informal Meetings. The city manager may occasionally meet with boards and commissions to discuss their problems as they concern the entire city government. If the city manager has a specific problem to present to a

board or commission he may file a written communication but it also may be advisable for him to discuss the matter in person at a meeting with the board. Some managers have a dinner meeting at least once a year for members of boards and commissions. Other managers invite boards to meet in the manager's office or at a club for luncheon. Friendly meetings generally are preferable to formal letters which might make board members resent or resist suggestions. The manager cannot well direct administrative boards he does not appoint. It is often necessary for him to concede points and to compromise in order to promote harmony. However, when unsatisfactory relations exist, in the case of boards appointed by the council, the council should be fully informed so that the council may invite executive officers and members of the board to attend a meeting of the council or council committee where the matter can be discussed and so that the council can take final action on it.

Liaison. In some cities one or more councilmen serve on various boards and act as liaison officers between the council and the boards and thus help prevent misunderstandings which might arise. Some managers prefer not to be a member of boards and commissions, while others believe that such membership enables them to get their points of view across. In other words, more is gained than lost by having the manager serve on independent boards, provided he does not attempt to dominate the board. Through such membership the manager often is able to give information on matters before action is taken and thus avoid possible embarrassment. Whether such membership is desirable varies with the purpose and type of board and how it is selected.

Another way to secure some degree of liaison between the general city government and the board would be for the city clerk to serve as secretary of the board. The board should inform the appointing authority of any substantial change in the service the board performs--such as improvement, diminishment, reduction, delay, or any alteration in the service. Advice of this change should be given the city council, mayor, or manager before it occurs.

Jurisdiction. In case of questionable jurisdiction the city manager should work out with the executive officer of the board and the department head involved in the controversy a logical solution to the problem. Following the meeting a regulation or agreement on interdepartmental policy can be prepared and signed by agencies involved. This becomes a guide for both agencies in handling similar problems or situations in the future.

Use of Auxiliary Services. Most of the boards appointed by the council or city manager use the auxiliary services of the city government provided through the offices of the city attorney, purchasing agent, finance officer, personnel officer, city engineer, and planning director. In some cities the board of education also uses the services of some city officials such as the city attorney and finance officer even though the board is not responsible to the manager or council.

Personnel. Personnel rules that apply to all regular city employees should also apply to employees of boards and commissions. The executive heads of boards should attend staff meetings along with other department heads in order to obtain a higher degree of coordination. Salaries and wages of employees of boards should be fixed in accordance with the pay plan of the city departments.

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Finances. Budget requests should come to the city manager even though the board may be appointed by the mayor or council. The manager should be free to discuss these tentative budgets with board chairmen and when approved by the manager these budgets should be included in the general city budget he submits to the council. Thus the expenditures of all boards that have a budget should be controlled through the general budget of the city the same as any other governmental agency.

The budget of the park and library boards in Wichita, for example, first come to the manager and are determined by the city council on the recommendation of the city manager, as is the case of the other departments. The same procedure is followed in Amarillo, Texas, by the eight boards that are appointed by the mayor or council, including the health board and housing authority. In Berkeley the council appoints the planning commission, recreation commission, public welfare commission, and library board. The manager and council control the budget and expenditures of the first three; the library board sets its own tax rate which however must be approved by the council.

Public Relations. It is desirable that all public relations of boards should be centralized. Any published material to be put out should have the specific approval of the city manager.

Administrative Regulations. It is desirable for the city council to outline definitely the duties of boards and to limit or circumscribe their activities. (See articles on independent boards and offices in PUBLIC MANAGEMENT for May, 1946 (pp. 135-39) and for November, 1946 (pp. 331-35). Such rules have been adopted by Greensboro, North Carolina, where there are 24 boards and commissions appointed by the mayor or council. The city council of Greensboro on July 18, 1944, adopted the following rules and regulations governing the functions of these boards and commissions:

1. All boards and commissions appointed by the mayor or the city council shall conform to the state statutes and local ordinances relating to the work and duties of such board or commission, and in addition thereto, shall conform with the following rules and regulations.

2. Where the chairman and other officers are not selected by the appointing power, each board or commission shall select a chairman, a vice-chairman, and a secretary, and the names of these officers shall be transmitted to the clerk of the council at the time of their selection, and the clerk of the council shall be promptly advised of any changes in these offices.

3. All boards and commissions shall keep a record, or minutes of all meetings, which show briefly the business transacted, and a copy of such minutes or record shall be filed with the city clerk after approval.

4. Boards and commissions exercising advisory supervision over any city department for which funds are appropriated annually by the city council shall meet at least once each month, and all other boards and commissions shall meet at least once each quarter.

5. All boards and commissions shall make a brief written report to the city council concerning their activities at least once each year, not later than the 30th of June. Boards and commissions which make regular or periodic reports and recommendations to the city council throughout the year shall not be required to furnish the annual report above referred to.

6. Should the chairman of any board or commission deem it necessary and expedient to act upon any matter before it can be acted upon by his said board or commission, he shall present the matter, together with the circumstances surrounding same, and the action taken, to his board at their next monthly meeting for approval or other action, and in the event no monthly meeting is scheduled within thirty days immediately following, he shall cause a special meeting to be held during such period for said purpose.

7. Any vacancy on any board or commission by death, resignation, or removal from the city, or otherwise, which shall come to the attention of the chairman, shall be promptly transmitted by him to the clerk of the council.

8. Boards and commissions shall confer with the city manager relative to the general supervision of employees of any city department over which such board or commission may have jurisdiction. No board or commission may hire, dismiss, or discipline any city employee without the approval of the city manager, who is charged with such duties by the city charter and the personnel ordinance of the city code.

9. No board or commission shall have any power or authority to make any contract or otherwise obligate the city of Greensboro, incur any debt on behalf of the city of Greensboro, unless specifically authorized by the city council, and no funds appropriated by the city council shall be expended by any board or commission without the approval of the city manager.

10. The city clerk is hereby authorized and directed to furnish the chairman of each of the existing boards and commissions, and each newly appointed member thereof, with a copy of these regulations.

